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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/910,731 | 07/24/2001 | Mahmoud Abdel-Rahman | 10010911-1 | 1791 |

7590 07/28/2003

AGILENT TECHNOLOGIES, INC.
Intellectual Property Administration
Legal Department, DL429
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[REDACTED] EXAMINER

DOLE, TIMOTHY J

| ART UNIT | PAPER NUMBER |
|----------|--------------|
| 2858 | |

DATE MAILED: 07/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|-----------------------------|---------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 09/910,731 | ABDEL-RAHMAN ET AL. |
| | Examiner Timothy J. Dole | Art Unit 2858 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 19 June 2003.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-5,7-18 and 20-22 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) 1-5,7-18 and 20 is/are allowed.

6) Claim(s) 21 and 22 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____ .
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

| | |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>11</u> . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 21 is rejected under 35 U.S.C. 102(b) as being anticipated by Gabor.

Gabor discloses an electronic circuit comprising: a first electrode (column 2, lines 58-60) for electrical connection to an ionization detector system (column 2, lines 58-66); a second electrode (column 2, lines 58-60) for electrical connection to the ionization system; a transformer (fig. 1 (2)) electrically connected to the first electrode and to the second electrode for creating a spark between the first electrode and the second electrode; a DC voltage source (column 2, lines 29-31) electrically connected to a primary portion (fig. 1 (1)) of the transformer; and a current monitor (fig. 1 (9)) electrically connected to a primary portion of the transformer.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gabor in view of Wolf.

Gabor discloses a method of generating an electrical discharge for an ionization detector system comprising: providing a first electrode and a second electrode (column 2, lines 58-60), each electrically connected to the ionization system (column 2, lines 58-66); providing a transformer (fig. 1 (2)) electrically that is connected to the first electrode and the second electrode; inputting a DC voltage into the primary portion of the transformer (column 2, lines 29-33); generating a discharge current between the first electrode and the second electrode (column 2, lines 45-60); and monitoring a current input (column 2, lines 38-40).

Gabor does not disclose including a first resistor and a second resistor in a secondary portion of the transformer.

Wolf discloses including a first resistor (17) and a second resistor (16) in a secondary portion of the transformer.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to incorporate the resistors of Wolf into the method of Gabor for the purpose of controlling the voltages on the secondary side of the transformer.

Allowable Subject Matter

5. Claims 1-5, 7-18 and 20 are allowed.

6. The following is a statement of reasons for the indication of allowable subject matter:
The claims are considered patentable because of the inclusion of the claim limitations: in claim

1, a conjugated clock input electrically connected to the transformer. In claim 11, generating a discharge current having at least a first steady-state current plateau and a second steady-state current plateau between the first electrode and the second electrode. These limitations are not taught or suggested by the prior art or record. Claims 1-5 and 7-10 are allowable since they depend on allowable independent claim 1. Claims 12-18 and 20 are allowable since they depend on allowable independent claim 11.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy J. Dole whose telephone number is 703-305-7396. The examiner can normally be reached on Mon. thru Fri. from 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, N. Le can be reached on 703-308-0750. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9318 for regular communications and 703-872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

TJD
July 23, 2003

T.J. Dole

N. Le
N. Le
Supervisory Patent Examiner
Technology Center 2800